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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,038	12/01/2003	Masakazu Ito	Q78527	1456
23373	7590	07/05/2007	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			VU, THANH T	
		ART UNIT	PAPER NUMBER	
		2174		
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		07/05/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/724,038	ITO, MASAKAZU	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thanh T. Vu	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 01 December 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/01/2003; 10/26/2006</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Specification***

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Objections***

Claims 4, 5 are objected to because of the following informalities: The applicant is advised to rewrite the acronym PLU as "Price look-up" for clarification.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 5, and 9 recite the limitation "the one or more key group" (line 6 or 7). There is insufficient antecedent basis for this limitation in the claim.

Claims 1, 5, and 9 recite the limitation "the key group" line 16. There is insufficient antecedent basis for this limitation in the claim.

Claims 2, 6, and 10 recite the limitations "the key group" and "the plurality of key groups". There are insufficient antecedent basis for the limitations in the claim.

Claims 3-4, 7-8, and 11-12 recite the limitation "the product key " line 5. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Balderrama et al. (“Balderrama”, U.S. Pat. No. 5,806,071).

Per claim 1, Balderrama teaches a display system, comprising:

a key group master memory unit for storing key group master information of a plurality of product keys and at least one key group including a switching key for switching a display to another key group (col. 7, TABLE A data record; col. 7, lines 4-11; col. 13, lines 18-65 and lines 47-65; *plurality of product keys: keys 162a-162f or keys 172-172d of fig. 8; keys 182a-182f or keys 192a-192b of fig. 9; keys 262a-262c of fig. 13; switching key: key 162f of fig. 8, key 182f of fig.; or keys 162a-162d of fig. 13; the switching key switches the display to a another key group.*)

a touch panel for displaying the one or more key groups (col. 6, lines 64-67);

a displayed key group attribute information storage unit, for storing, as displayed key group attribute information, the key group master information of the key groups displayed on the touch panel (figs. 3; col. 8, lines 15-20; col. 9, lines 15-30; *Template records TABLE A stores key group attribute information and the key group master information of the key groups.*)

display switching means that, when the switching key on the touch panel is pressed (see figs. 8, 9, and 13; e.g. *switch key 262a*); reads out from the key group master, memory unit, the key group master information designated according to a link destination attribute and a link

destination number in the displayed key group attribute information that corresponds to the pressed switching key (col. 7, lines 4-11; col. 13, col. 13, lines 18-46; *the key group master information designated according to a link destination attribute and a link destination number in the displayed key group attribute information are read out from template records TABLE A*), and replaces the key group including the pressed switching key, for the key group corresponding to the key group master information designated according to the link destination attribute and the link destination number for display (figs. 8, 9, and 13; e.g. *the key group menu 260 including key pressed switching key 262a of fig. 13 are replaced with key group TACO 262a in display 280*)

Per claim 2, Balderrama teaches the display system according to claim 1, comprising the key group including the plurality of key groups (col. 7, lines 4-15; *see fig. 13; key group menu 260 including the plurality of key groups 262a-262d*).

Per claim 3, Balderrama teaches the display system according to claim 1, comprising:  
a PLU master memory unit for storing PLU master information including a product name and a product unit price (col. 9, lines 15-30 and col. 10, lines 25-32; *TABLE C storing master PLU information having a product name and a product unit price*); and sales processing means that, when the product key on the touch, panel is pressed, reads out the PLU master information designated according to the link destination attribute and the link destination number in the displayed key group attribute information that corresponds to the pressed product key, and displays the PLU master information on the touch panel (col. 7, lines 13-15; col. 10, lines 25-32; *TABLE B; see col. 13, lines 10-15, "order window" displays selected product item and price information read out from PLU information of TABLE B*).

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Per claim 4, Balderrama teaches the display system according to claim 2, comprising a PLU master memory unit for storing PLU master information including a product name and a product unit price (col. 9, lines 15-30 and col. 10, lines 25-32; *TABLE C storing master PLU information having a product name and a product unit price*); and sales processing means that, when the product key on the touch panel is pressed, reads out the PLU master information designated according to the link destination attribute and the link destination number in the displayed key group attribute information that corresponds to the pressed product key, and displays the PLU master information on the touch panel (col. 7, lines 13-15; col. 10, lines 25-32; TABLE B; *see col. 13, lines 10-15, "order window" displays selected product item and price information read out from PLU information of TABLE B*).

Claims 5-8 are rejected under the same rationale as claims 1-4 respectively.

Claims 9-12 are rejected under the same rationale as claims 1-4 respectively.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Camaisa et al. (U.S. Pat. No. 5,845,263) discloses an interactive ordering system.

Moderi et al. (U.S. Pat. No. 5,510,979) discloses a data processing system and method for retail stores.

### ***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The examiner can normally be reached on Mon-Thur and every other Fri 7:30 AM - 5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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Patent Examiner  
AU 2174, TC 2100